

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT OLIVER FOWLER,	)	8:12CV252
	)	
Plaintiff,	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
TRIAGE STAFFING INC.,	)	
	)	
Defendant.	)	

This matter is before the court on the findings and recommendation filed by Magistrate Judge Thomas D. Thalken on December 28, 2012 (filing [5](#)). Judge Thalken recommends that the plaintiff's complaint be dismissed without prejudice, for failure to prosecute.

No objections have been filed to the findings and recommendation within the time permitted by [28 U.S.C. § 636\(b\)\(1\)](#). In any event, I have conducted a de novo review and find that Judge Thalken has correctly found the facts and applied the law. His findings and recommendation therefore will be adopted, and the plaintiff's complaint will be dismissed without prejudice.

IT IS ORDERED:

1. The magistrate judge's findings and recommendation (filing [5](#)) are adopted.
2. The plaintiff's complaint is dismissed without prejudice.
3. Final judgment will be entered by separate document.

January 22, 2013.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge